

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
BECKLEY DIVISION**

**FRANK TREADWAY,  
JOEY CLARK HATFIELD,  
CHARLES W. HENSLEY,  
individually and on behalf of others  
similarly situated,  
Plaintiffs,**

**WRIT OF EXECUTION  
Civil Action No. 5:16-cv-12149**

**v.**

**BLUESTONE COAL CORP.,  
BLUESTONE INDUSTRIES, INC., and  
MECHEL BLUESTONE, INC.,  
Defendants.**

*Ans. 0+1*

**IN THE NAME OF THE UNITED STATES OF AMERICA:**

**TO THE UNITED STATES MARSHAL  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA:**

Pursuant to the judgment taken in this action on April 18, 2019 we command you that of the goods and chattles of **BLUESTONE COAL CORP., BLUESTONE INDUSTRIES, INC., and MECHEL BLUESTONE, INC.** in your bailiwick, you cause to be made the sum of **\$ 391,433.75** as of April 18, 2019, in addition to such further daily penalties as may accrue after April 18, 2019, in lieu of the legal rate of interest, at the rate of \$1,000.00 per day that each payment to the common fund, class representatives, or class administrator is late, until paid in full, and also the sum of **\$ 270,667.67** which is due to be paid by Defendants on or before June 23, 2019, incorporating by reference the March 5, 2019 Order of this Court, which the above named FRANK TREADWAY, JOEY CLARK HATFIELD, CHARLES W. HENSLEY, INDIVIDUALLY AND ON BEHALF OF OTHERS SIMILARLY SITUATED recovered against the named BLUESTONE COAL CORP., BLUESTONE INDUSTRIES, INC., and MECHEL BLUESTONE, INC., and make your return thereof on or before July 8, 2019.

RORY L. PERRY II, CLERK OF COURT

DATE: 5/20/2019

BY: *S. Richmond*

DEPUTY CLERK

U.S. Department of Justice  
United States Marshals Service

# PROCESS RECEIPT AND RETURN

See *"Instructions for Service of Process by U.S. Marshal"*

PLAINTIFF Frank Treadway, Joey Clark Hatfield, Charles W. Hensley	COURT CASE NUMBER 5:16-cv-12149
DEFENDANT Bluestone Coal Corp., Bluestone Industries, Inc., Mechel Bluestone, Inc.	TYPE OF PROCESS Personal service or certified mail

**SERVE  
AT**

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN  
John Hussell, Esq. (attorney for Defendants; authorized to accept service of process)

ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)

300 Summers Street, Suite 1230 P.O. Box 3971 Charleston, WV 25339

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW

Samuel B. Petsonk, Esq.  
Mountain State Justice, Inc.  
223 Prince Street  
Beckley, WV 25801

Number of process to be  
served with this Form 285 3

Number of parties to be  
served in this case 3

Check for service  
on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (*Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service*):

John Hussell contact information --- Office: (304) 345-9455; Fax: (304) 345-4607 john.hussell@wwdhe.com

Signature of Attorney other Originator requesting service on behalf of:

☒ PLAINTIFF

☐ DEFENDANT

TELEPHONE NUMBER

(681) 207-7510

DATE

4/24/2019

## SPACE BELOW FOR USE OF U.S. MARSHAL ONLY - DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only for USM 285 if more than one USM 285 is submitted)	Total Process _____	District of Origin No. _____	District to Serve No. _____	Signature of Authorized USMS Deputy or Clerk	Date
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I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the on the individual, company, corporation, etc. shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (*See remarks below*)

Name and title of individual served (*if not shown above*)

Date

Time

☐ am

☐ pm

Address (*complete only different than shown above*)

Signature of U.S. Marshal or Deputy

Service Fee _____	Total Mileage Charges (including endeavors) _____	Forwarding Fee _____	Total Charges _____	Advance Deposits _____	Amount owed to U.S. Marshal* or (Amount of Refund*) _____
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REMARKS